

United States v. Daniel Marino, et al.

Prepared Remarks of U.S. Attorney Preet Bharara

April 20, 2010

Good afternoon. My name is Preet Bharara, and I am the United States Attorney for the Southern District of New York.

Earlier today, we unsealed an Indictment charging 14 members and associates of the Gambino Organized Crime Family with an array of federal crimes. Today's charges include murder, racketeering, extortion, and assault, as well as narcotics trafficking, loansharking, and gambling. And perhaps reflecting a new low for the Gambino Family, today's charges also include interstate sex trafficking of women, including a minor.

Unfortunately for New York City, as today's case shows, the rumors of the mafia's demise are greatly exaggerated.

Today's charged defendants include Daniel Marino – a mobster for over three decades who until his arrest this morning was a Boss reigning over the entire Gambino Family.

The Indictment also charges two others alleged to be among Marino's closest and most trusted soldiers – Thomas Orefice and Noel Modica, who ran their own crews of Gambino Family members and associates.

I am joined here today by our partners in this case and in so many other important organized crime cases, the Federal Bureau of Investigation, represented today by George Venizelos, the Special Agent in Charge of the FBI's New York Division. I want to thank the many dedicated agents and investigators from FBI, including:

Assistant Special Agent in Charge Dave Shaffer;
Group Supervisor Gerard Conrad;
Special Agents Paul Harris, Ted Otto, Jeffrey Tarkin, and Cindy Peil; and analyst Donald McCormick.

I also want to express my appreciation to the career prosecutors in my office who conducted this meticulous and thorough investigation: Assistant United States Attorneys Elie Honig and Steve Kwok, from our Office's Organized Crime Unit, and Assistant United States Attorney Jason Hernandez from our Asset Forfeiture Unit, as well as Acting Chief Jennifer Rodgers.

Now, let me take a minute to highlight some of the crimes alleged in today's Indictment. Today's arrests cover decades of criminality – from as far back as the 1980s, up to and including the end of 2009.

Among other things, the Indictment charges that Daniel Marino participated in a murder in 1998. The victim in that case was Frank Hydell. What was special about this victim? He was Daniel Marino's nephew. Hydell was correctly suspected by the Gambino Family of cooperating with law enforcement. And so several Gambino Family members and associates allegedly plotted to kill Hydell. But they needed the authorization of his uncle, defendant Daniel Marino, to carry out the plot.

And we have charged that when Daniel Marino was faced with that choice – between his own family and the Gambino Crime Family – he chose the Gambinos.

Marino, as we have charged, authorized the hit on his own nephew. Having received that authorization, several Gambino members and associates lured Hydell to a strip club in Staten Island. There, he was executed. He was shot three times in the face and in the back, and then left for dead in the club parking lot. He was 31.

The Indictment also describes three other murders, including that of another cooperating witness, Thomas Spinelli, and a double-murder by defendant Noel Modica.

In addition to racketeering and murder, today's indictment also charges Marino, Orefice, Modica, and others with committing a string of crimes, including:

- Broad-ranging extortion of the construction industry, including labor unions, contractors, and material suppliers;

- Extortions and frauds ranging from the energy industry to the financial industry to the restaurant industry;

- The vicious beatings of numerous victims, with fists and with baseball bats; and

- Reliable, proven mafia moneymakers including loansharking and gambling.

Finally, in what appears to be a first, the mob allegedly set up and operated its own extensive, interstate sex trafficking network primarily run by Orefice and several of his crew members. They recruited young, teenaged women to work as prostitutes throughout the New York/New Jersey metropolitan area.

The defendants advertised on the Internet, set up and drove the women to appointments, and kept about half of the collected fees for themselves. The women whom the defendants exploited and sold as prostitutes were all under 20 years old. One was 15.

Conclusion

As today's case demonstrates, the mafia is not dead. It is alive and kicking.

Modern mobsters may be less colorful; they may be less flamboyant; they may be less glamorous than some of their predecessors.

But make no mistake – they are still terrorizing businesses; they are still using baseball bats; they are still putting people in the hospital; and they are still sworn to lives of crime. And now they are diversifying into any area where they can make a quick criminal buck. We allege here that, as a result of the charged crimes, the defendants brought in at least \$20 million in criminal proceeds that we seek to forfeit.

The Gambino Crime Family still boasts some 200 made men, and there is still a waiting list to get into this criminal club.

I note that most of the people we have arrested today are young – less than 35 years old. Some of them were not even born when Paul Castellano was famously assassinated outside of Sparks Steakhouse in 1985.

Today, the Gambino Family has lost one of its leaders, and many of its rising stars have now fallen. We will continue to work to eradicate the mafia, and to keep organized crime from victimizing the businesses, and the people, of this City.